



UNITED STATES PATENT AND TRADEMARK OFFICE

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Director's Office
Office of Patent Publication

In re Application of
Carlos Cordon-Cardo, et al. :
Application No. 09/329,917 :
Filed: June 10, 1999 :
Attorney Docket No. 55293-A/JPW/AJM/MVM :

DECISION ON PETITION

This is a decision on the Request For Reconsideration Of March 17, 2003 Decision On Petition Pursuant To 37 C.F.R. § 1.137(e) And Contingent Petition For Withdrawal From Issue Under 37 C.F.R. § 1.313(c) (2) (hereafter Request/Petition For Withdrawal). Petitioner has submitted a copy of the returned post card receipt (MPEP 503), which acknowledges receipt of the Request/Petition For Withdrawal on May 14, 2003, as evidenced by the "Office Date" stamp receipt thereon.

The petition is **GRANTED**.

The Decision On Petition, mailed by the undersigned on March 17, 2003, dismissed the Petition Under 37 C.F.R. § 1.181 To Withdraw Holding Of Abandoned, received in the USPTO on February 28, 2003, due to the applicant's failure to respond to the Examiners Amendment mailed July 23, 2002.

Petitioner has demonstrated that the Amendment After Notice Of Allowance Pursuant To 37 C.F.R. § 1.312 (Amendment) was mailed via certificate of mailing on October 23, 2002, and is in compliance with 37 CFR 1.8(b) in that (1) the USPTO was promptly informed of the previous timely mailing, (2) a copy of the previously mailed correspondence with certificate of mailing thereon has been submitted, and (3) included a statement which attests to the previous timely mailing.

Petitioner has submitted a copy of the returned postcard, which acknowledges receipt of the Amendment on October 29, 2002, as evidenced by the "Office Date" stamp thereon.

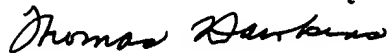
In view of the applicant's compliance with 37 CFR 1.8, the holding of abandonment is hereby withdrawn. Accordingly, the Amendment will be accepted as having been timely filed via certificate of mailing on October 23, 2002.

The applicant will be forwarded to Examiner, Jehanne Sitten, Art Unit 1634, Technology Center 1600 to be considered.

Thereafter, the application should be forwarded to the appropriate office for further processing of the Petition Under 37 CFR 1.313(c)(2) and Request for Continued Examination, received in the Office of Petitions on February 28, 2003.

The Office acknowledges receipt of the Communication Forwarding Formal Drawings with twelve (12) sheets of new, corrected formal drawings on October 29, 2002.

Telephone inquiries relating to this matter may be directed to the Examiner and/or the Office of Petitions.



Thomas Hawkins
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